

# Road Traffic Offences (Cycling) Bill [HL]

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[AS INTRODUCED]

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[AS INTRODUCED]

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# B I L L

TO

Amend the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988 to create criminal offences relating to dangerous, careless or inconsiderate cycling and cycling without compulsory insurance, in particular applying to pedal cycles, electrically assisted pedal cycles and electric scooters; to publish an annual report on cycling offences; and to require a review of the impact of the dangerous use of electric scooters on other road users.

**B**E IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## **1 Causing death or serious injury by dangerous, careless or inconsiderate cycling**

(1) The Road Traffic Act 1988 is amended as follows.

(2) Before section 28 (dangerous cycling) insert—

### **“27A Causing death by dangerous cycling**

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A person who causes the death of another person by riding a cycle dangerously (as defined in section 28) on a road or other public place is guilty of an offence.

### **27B Causing serious injury by dangerous cycling**

(1) A person who causes serious injury to another person by riding a cycle dangerously (as defined in section 28) on a road or other public place is guilty of an offence.

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(2) In this section “serious injury” means—

(a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861, and

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(b) in Scotland, severe physical injury.

**27C Causing death by careless, or inconsiderate, cycling**

A person who causes the death of another person by riding a cycle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.”

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(3) In section 28 (dangerous cycling), after subsection (3) insert—

“(4) For the purposes of subsection (2), what would be expected of a competent and careful cyclist includes that their cycle is equipped and maintained in accordance with regulations made under section 81 of this Act.”

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(4) After section 32 (electrically assisted pedal cycles), insert—

**“32A Interpretation of sections 27A to 32**

(1) For the purposes of sections 27A to 32 of this Act, “a cycle” includes but is not limited to—

(a) a pedal cycle,

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(b) an electrically assisted pedal cycle, and

(c) a mechanically propelled personal transporter, including—

(i) an electric scooter,

(ii) a self-balancing personal transporter (including a self-balancing scooter, self-balancing board or electric unicycle), and

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(iii) any other mechanically propelled personal transporter provided for by the Secretary of State in regulations made under this section.

(2) For the purposes of subsection (1)(c), mechanically propelled personal transporters are to be defined in regulations made by the Secretary of State under this section.”

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**2 Compulsory insurance for cycles**

(1) The Road Traffic Act 1988 is amended as follows.

(2) After section 143 (users of motor vehicles to be insured), insert—

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**“143A Users of cycles to be insured**

(1) Subject to the provisions of this Part of this Act—

(a) a person must not use a cycle on a road or other public place unless there is in force in relation to the use of the cycle by that person such a policy of insurance as complies with the requirements of this Part of this Act, and

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(b) a person must not cause or permit any other person to use a cycle on a road or other public place unless there is in force in relation to the use of the cycle by that other person such a policy of insurance as complies with the requirements of this Part of this Act.

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- (2) If a person acts in contravention of subsection (1) above they are guilty of an offence.
- (3) A person charged with using a cycle in contravention of this section shall not be convicted if they prove—
- (a) that the cycle did not belong to them and was not in their possession under a contract of hiring or of loan, 5
  - (b) that they were using the vehicle in the course of his employment, and
  - (c) that they neither knew nor had reason to believe that there was not in force in relation to the vehicle such a policy of insurance as is mentioned in subsection (1) above. 10
- (4) For the purposes of this section, “a cycle” has the meaning set out in section 32A.
- (5) This Part of this Act does not apply to invalid carriages.”

### 3 Penalties 15

- (1) The table in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 is amended as follows.
- (2) After the row beginning “RTA section 27” insert in columns 1 to 4—

“RTA Section 27A	Causing death by dangerous cycling.	On indictment.	14 years.	20
RTA Section 27B	Causing serious injury by dangerous cycling.	(a) Summarily. (b) On indictment.	(a) 12 months or the statutory maximum or both. (b) 5 years or a fine or both.	25
RTA Section 27C	Causing death by careless or inconsiderate cycling.	(a) Summarily. (b) On indictment.	(a) 12 months (in England and Wales) or 6 months (in Scotland) or the statutory maximum or both. (b) 5 years or a fine or both.”	30

- (3) After the row beginning “RTA section 143” insert in columns 1 to 4—

“RTA section 143A	Using cycle while uninsured	Summarily.	Level 5 on the standard scale.”	35
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#### 4 Review: misuse of electric scooters

- (1) The Secretary of State must undertake a review of the misuse of electric scooters, including but not limited to—
  - (a) conclusions from the use of e-scooters in permitted trials in Great Britain, 5
  - (b) the likely impact of dangerous use of electric scooters on the safety of drivers and pedestrians on public roads,
  - (c) the ways in which privately-owned electric scooters may pose different risks to road users in comparison to rental electric scooters, and
  - (d) an assessment of whether it would be appropriate to legalise the use of privately-owned electric scooters in public spaces in order to regulate their safe use and introduce compulsory insurance. 10
- (2) In preparing the review under subsection (1), the Secretary of State must consult such persons they think appropriate.
- (3) The review under subsection (1) must be laid before Parliament within 12 months of the passing of this Act. 15

#### 5 Annual report: cycling offences

- (1) The Secretary of State must publish an annual report on the number of people charged with offences related to dangerous, careless or inconsiderate cycling and cycling without compulsory insurance in the previous twelve months. 20
- (2) “Cycling” in subsection (1) has the same meaning as “a cycle” in section 32A of the Road Traffic Act 1988.
- (3) The report under subsection (1) must set out the proportion of offences which went on to be heard in court.
- (4) The report under subsection (1) must be published within 18 months of the day on which this Act is passed, and annually thereafter. 25
- (5) The report under subsection (1) must be laid before Parliament.

#### 6 Extent, commencement and short title

- (1) This Act extends to England and Wales and Scotland.
- (2) This Act comes into force at the end of the period of six months beginning on the day on which it is passed. 30
- (3) This Act may be cited as the Road Traffic Offences (Cycling) Act 2025.



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*Baroness McIntosh of Pickering*

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